

TEMPORARY

Serial No. 56591T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. JUL 26 1991

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant. Frehner Construction Co., Inc.

124 W. Brooks Ave of N. Las Vegas

Street and No. or P.O. Box No.

City or Town

Nevada 89030

State and Zip Code No.

hereby make application for permission to change the

Manor and Place of use and a Portion of

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under. Certificate No. 10128 file #28104

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is. Warm Springs

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 1.0 c.f.s.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. Highway Construction

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. Irrigation

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SW 1/4 SE 1/4 Sec 12 T.33N. R61E MDB&M or at a

Describe as being within a 40-acre subdivision of public survey and by course and

point from which the S 1/4 corner of said section 12, bears S 45° 00' 00" W a
distance to a section corner. If on unsurveyed land, it should be stated.

distance of 780 feet

6. The existing permitted point of diversion is located within. same

If point of diversion is not changed, do not answer.

7. Proposed place of use. NDOT contract No. 2436 on U.S. 93 from 2 miles south of Ruby

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Valley Rd. to Clover Valley Rd.

8. Existing place of use. See Attached Certificate

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from. July 31, to. Nov. 31 of each year.

Month and Day

Month and Day

10. Use was permitted from. March 1 to. Nov. 30 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Existing

State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. 0

13. Estimated time required to construct works. Existing

14. Estimated time required to complete the application of water to beneficial use..... 4 months

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This water is to be used for highway construction on NDOT contract #2436

Project No. SPF-093-4(8)

By s/ Robert J. Hutcheson
124 W. Brooks Ave.
N. Las Vegas, Nevada 89030

Compared..... am/se am/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use and manner of use of a portion of the waters of Warm Springs as heretofore granted under Permit 28104, Certificate 10128 is issued subject to the terms and conditions imposed in said Permit 28104, Certificate 10128 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on July 30, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.0 cubic feet per second, but not to exceed 3.5 acre-
feet seasonally.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 31st day of July

A.D. 19 91

State Engineer

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Alan S. Boyack, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Warm Springs through a developed spring, dam and distribution system for Irrigation purposes. The point of diversion of water from the source is as follows: SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T.33N., R.61E., M.D.B.&M. or at a point from which the SE corner of said Section 12 bears S. 45° 00' 00" W., a distance of 780.0 feet. situated in Elko County, State of Nevada.

Now KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator.....R.L.C. Investments, Inc.
Post-office address.....Kansas City, Missouri
Amount of appropriation.....6.24 c.f.s., but not to exceed 2,258.52 acre-feet per seas
Period of use, from.....March 1st to November 30th of each year
Date of priority of appropriation.....February 14, 1974

Description of the land to which the water is appurtenant:

2.25 Acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T.33N., R.61E., M.D.B.&M.									
6.57 " " " " SE $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " "									
4.41 " " " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " " "	13								
39.14 " " " " NE $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " " "									
18.40 " " " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " " "									
7.58 " " " " Lot 4 " " " " " "	7					R.62E.,			
7.66 " " " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " "									
0.42 " " " " SW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " "									
36.89 " " " " Lot 1 " " " " " "	18								
37.23 " " " " Lot 2 " " " " " "									
37.58 " " " " Lot 3 " " " " " "									
37.70 " " " " Lot 4 " " " " " "									
39.82 " " " " NE $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " " "									
40.64 " " " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " " "									
40.84 " " " " NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " "									
41.00 " " " " SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " " " " "									
1.92 " " " " NW $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " " "									
2.00 " " " " SW $\frac{1}{4}$ NE $\frac{1}{4}$ " " " " " "									
2.04 " " " " NW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " " " "									

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This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 4.0 acre-feet per acre per season from any and/or all sources.

Application 28104

Certificate 10128

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2.57	Acres	in	the	SW $\frac{1}{4}$	SE $\frac{1}{4}$	of	Section	18,	T.33N.,	R.62E.,	M.D.B.&M.
37.31	"	"	"	Lot	1	"	"	19,	"	"	"
34.89	"	"	"	Lot	2	"	"	"	"	"	"
41.05	"	"	"	NE $\frac{1}{4}$	NW $\frac{1}{4}$	"	"	"	"	"	"
37.93	"	"	"	SE $\frac{1}{4}$	NW $\frac{1}{4}$	"	"	"	"	"	"
2.88	"	"	"	NW $\frac{1}{4}$	NE $\frac{1}{4}$	"	"	"	"	"	"
<u>2.81</u>	"	"	"	SW $\frac{1}{4}$	NE $\frac{1}{4}$	"	"	"	"	"	"

564.53 Acres Total

IN TESTIMONY WHEREOF, I.....PETER G. MORROS....., State Engineer

Compared bc/bd.....

of Nevada, have hereunto set my hand and the seal of my office, this

Recorded..... Bk..... Page.....

19th..... day of..... JULY....., A.D. 1982

.....County Records.



State Engineer

1921